
DIGEST

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Richard

HB No. 896

Abstract: Requires a member who serves on a board or commission to file financial disclosure pursuant to Tier 3 instead of Tier 2.1 if the member is not compensated for his service. Allows an elected member of a governing authority who represents a voting district of 5,000 or more to file pursuant to Tier 3 instead of Tier 2 if another member of the same governing authority represents a voting district of fewer than 5,000.

Present law (Code of Governmental Ethics—R.S. 42:1124, 1124.2, 1124.2.1, and 1124.3) provides different tiers of annual financial disclosure for certain public officials.

Present law (R.S. 42:1124.2—informally termed "Tier 2") requires each legislator, each person holding a public office who represents a voting district having a population of 5,000 or more, each member of the Board of Ethics, the ethics administrator, and each member of BESE to annually file a financial disclosure statement. Generally requires disclosure of specific information for the filer and his spouse regarding occupation, employment, business associations, income, property interests, investments, purchases and sales, and creditors.

Proposed law provides that a person holding a public office who represents a voting district having a population of 5,000 or more must file pursuant to R.S. 42:1124.3 (informally termed "Tier 3") instead of Tier 2 if the person serves on a tiered governing authority. Defines "tiered governing authority" as the governing authority of a political subdivision, which governing authority is composed of at least one person holding a public office who represents a voting district having a population of 5,000 or more and at least one person holding a public office who represents a voting district having a population of fewer than 5,000. Otherwise retains present law.

Present law (R.S. 42:1124.2.1—informally termed "Tier 2.1") requires each member of the State Civil Service Commission, each member of the Board of Commissioners of the Louisiana Stadium and Exposition District, and each member and any designee of a member of a board or commission that has the authority to expend, disburse, or invest \$10,000 or more of funds in a fiscal year to annually file a financial disclosure statement. Generally requires disclosure of specific information for the filer and his spouse regarding occupation, employment, business associations, and income from the state or a political subdivision or from a gaming interest. Additionally requires the individual to file a certification or statement relative to conflicts.

Proposed law limits the members of boards and commissions that are required to file under Tier 2.1 to those that receive salary or per diem for their service on the board or commission (for

those boards not specifically named). Otherwise retains present law.

Present law (Tier 3) requires each person holding a public office who represents a voting district having a population of fewer than 5,000 to annually file a financial statement. Generally requires disclosure of income from the state or a political subdivision or from a gaming interest.

Proposed law adds to the persons required to file pursuant to Tier 3 each member of a board or commission that has the authority to expend, disburse, or invest \$10,000 or more of funds in a fiscal year who is not required to file pursuant to Tier 2.1 and each person holding a public office who represents a voting district having a population of \$5,000 or more persons and who serves on a tiered governing authority. Otherwise retains present law.

Effective Jan. 1, 2010.

(Amends R.S. 1124.2.1(A)(1) and (B) and 1124.3(A) and (B); Adds R.S. 42:1124.2(G)(4) and (J) and 1124.3(D)(3) and (4); Repeals R.S. 42:1124.2.1(D)(4))